

May 27, 1999

typically live in older housing, are at highest risk of lead poisoning. Therefore, this health threat is of particular concern to states, like New Jersey, where more than 35 percent of homes were built prior to 1950.

In 1996, New Jersey implemented a law requiring health care providers to test all children under the age of 6 for lead exposure. But during the first year of this requirement, there were actually fewer children screened than the year before, when there was no requirement at all. Between July 1997 and July 1998, 13,596 children were tested for lead poisoning. The year before that more than 17,000 tests were done.

At the federal level, the Health Care Financing Administration (HCFA) has mandated that Medicaid children under 2 years of age be screened for elevated blood lead levels. However, recent General Accounting Office (GAO) reports indicate that this is not being done. For example, the GAO has found that only about 21% of Medicaid children between the ages of one and two have been screened. In the state of New Jersey, only about 39% of children enrolled in Medicaid have been screened.

Based on these reviews at both the state and federal levels, it is obvious that improvements must be made to ensure that children are screened early and receive follow up treatment if lead is detected. That is why I am introducing this legislation which I believe will address some of the shortcomings that have been identified in existing requirements.

The legislation will require Medicaid providers to screen children and cover treatment for children found to have elevated levels of lead in their blood. It will also require improved data reporting of children who are retested, so that we can accurately monitor the results of the program. Because more than 75%—or nearly 700,000—of the children found to have elevated blood lead levels are part of federally funded health care programs, our bill targets not only Medicaid, but also Head Start, Early Head Start and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Head Start and WIC programs would be allowed to perform screening or to mandate that parents show proof of screenings in order to enroll their children.

Education, early screening and prompt follow-up care will save millions in health care costs; but, more importantly will save our greatest resource—our children.

PERSONAL EXPLANATION

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Ms. STABENOW. Mr. Speaker, I was unavoidably detained on May 24, 1999 and was not able to vote on H.R. 1251 and H.R. 100.

Had I been present, I would have voted "yea" on H.R. 1251.

Had I been present, I would have voted "yea" on H.R. 100.

EXTENSIONS OF REMARKS

INTRODUCTION OF THE TEACHER EMPOWERMENT ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GOODLING. Mr. Speaker, today I am joining with the distinguished Chairman of the Subcommittee on Postsecondary Education, Training and Life-long Learning, Mr. MCKEON, Mr. CASTLE, the Speaker of the House, the Majority Leader, Mr. WATTS, Mr. BLUNT, Ms. PRYCE, and other distinguished Members of the House to introduce the Teacher Empowerment Act. As someone who has spent a lifetime in education as a parent, a teacher, a school administrator, and a Member of Congress, I know that after parents, the most important factor in whether a child succeeds in school is the quality of the teachers in the classroom. An inspirational, knowledgeable, and qualified teacher is worth more than anything else we could give a student to ensure academic achievement.

The Teacher Empowerment Act will go a long way toward helping local schools improve the quality of their teachers, or to hire additional qualified teachers, and to do this in the way that best meets their needs. The Teacher Empowerment Act will provide \$2 billion per year over 5 years to States and local school districts to help pay for the costs of high quality teacher training and for the hiring of new teachers. We do this by consolidating the following programs: Eisenhower Professional Development, Goals 2000, and "100,000 New Teachers."

We have tried to develop legislation that will have bipartisan support, and we will continue to do so as the bill moves along. However, our approach differs significantly from the Administration's. The Administration's legislative proposal is prescriptive and centered on Washington. We lift restrictions and encourage local innovation.

The Administration's proposal is so focused on reducing class size that it loses sight of the bigger quality issue. We try to find the right balance between reducing class size, retaining, and retraining quality teachers. And in our bill, class size is a local issue, not a Washington issue.

In math and science, the Administration increases set-asides and makes no provision for local school districts that do not have significant needs in those areas. Our approach is different because we maintain the focus on math and science, but also provide additional flexibility for schools that have met their needs in those subject areas.

The Administration takes dollars from the classroom by allowing the Secretary of Education to maintain half of all funds for discretionary grants and to expand funding for national projects. Our bill reduces funding for national projects and sends 95 percent of the funds to local school districts.

The Administration wants to put 100,000 new teachers into classrooms, but requiring this would force States and local school districts to put many unqualified teachers in the classroom. We allow schools to decide whether they should use the funds to reduce class

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size, or improve the quality of their existing teachers, or hire additional special education teachers.

Finally, one point that I would like to make is that improving the quality of our teachers does not mean that we need national certification. In fact, our bill prohibits it. Again, it's a question of who controls our schools: bureaucracies in Washington, or people at the State and local level who know the needs of their communities.

The Teacher Empowerment Act is good legislation. It provides a needed balance between the quality and quantity of our teaching force. I hope that we can work together on this legislation, in a bipartisan manner, so that we see enactment of this legislation, along with our other reforms in ESEA, in this Congress.

RECTIFYING IRS RULING FOR VETERANS

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mrs. TAUSCHER. Mr. Speaker, I am pleased to join with my colleague from California, Mr. BRIAN BILBRAY, to introduce a bill to rectify an unjust Internal Revenue Service (IRS) ruling which adversely affected our nation's veterans.

In a 1962 IRS ruling, an allowance was made for the deduction of flight training expenses from a veteran's income tax even if veterans' benefits were received to pay the training costs. Subsequently, many veterans used their G.I. benefits to go to flight school and correctly deducted these expenses on their income tax forms. In 1980, the IRS revised its 1962 ruling by terminating this tax deduction in Revenue Ruling 80-173. However, the IRS decided to apply this new ruling retroactively, which meant the veterans who had utilized this deduction would now have to pay back their tax refund to the IRS. This decision was detrimental to the taxpayers who took the deduction as instructed, and therefore simply unfair.

Naturally, these taxpayers took their case to court. In April 1985, the 11th Circuit Court of Appeals, in *Baker v. United States*, considered this issue and sided with the taxpayer. The IRS did not appeal the decision to the U.S. Supreme Court. Consequently, the veterans who fought the battle in the 11th Circuit Court of Appeals received refunds of the tax they had been required to pay. At the same time, however, veterans who suffered from the retroactive IRS ruling but who fell outside the purview of that court decision were not given refunds. Similarly situated veterans were therefore being treated differently by the IRS due to geographic location.

This bipartisan legislation will permit those veterans who settled with the IRS on less favorable terms or were precluded from having the IRS consider their claims because of the time limits in the law, a one-time opportunity to file for a refund. This way the remaining veterans and the IRS would have a second chance to come to a much more equitable settlement.